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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,552	01/21/2004	Yasushi Yokomitsu	L8612.04101	8634

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EXAMINER
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HAMZA, FARUK

ART UNIT	PAPER NUMBER
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2442

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/760,552	<b>Applicant(s)</b> YOKOMITSU ET AL.	
	<b>Examiner</b> FARUK HAMZA	<b>Art Unit</b> 2442	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 June 2011.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 3,6-9,17,21 and 23-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3,6-9,17,21 and 23-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
       Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
       Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Response to Amendment***

1. This action is responsive to the amendment filed on June 16, 2011. Claims 1, 2, 4, 5, 10-16, 18-20 and 22 have been canceled. Claims 3, 6, 7-9, 17 and 21 have been amended. Claims 23-25 have been newly added. Claims 3, 6, 7-9, 17, 21 and 23-25 are pending.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 23 and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 23 and 25 recite the limitation "the port number controller" in line 1. There is insufficient antecedent basis for this limitation in the claim. It is unclear to the examiner whether "the port number controller" is same as "the port management controller".

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- 3.** Claims 3, 6-7, 21 and 23-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Borella et al. (U.S. Patent Number 6,353,614) hereinafter referred as Borella.

As to claim 21, Borella teaches a server apparatus for communicating with a terminal device in a wide area network by way of a relay device with a port forwarding feature and a wide area network address in the wide area network, the relay device being connected to the server apparatus and at least one other server in a local area network, the relay device assigning the server apparatus with a first port number and assigning the other server with a second port number, the server apparatus comprising:

a port management controller which receives a first port number from the relay device and registers the first port number, wherein, the port management controller acquires the second port number assigned to the other server, and, in response to an access from the terminal device in the wide area network, provides the terminal device with the second port number (abstract, Column 7, lines 45-57, Column 8, lines 63-Column 9, lines 30, Column 12, lines 15-27, Column 14, lines 15-40).

As to claim 3, Borella teaches the server according to claim 21, wherein said port management controller periodically requests the second port number from the relay device (Column 11, lines 27-36).

As to claim 6, Borella teaches the server according to claim 21, the port management controller requests use registration information from the relay device and fetches the second port number from the use registration information (Column 11, lines 27-36).

As to claim 7, Borella teaches the server according to claim 21, wherein the port management means notifies the other server of the second port number assigned (Column 5, lines 8-13).

As to claim 23, Borella teaches the server apparatus according to claim 21, wherein unless the port number controller is assigned to the first port number, the port management controller does not provide the terminal device with the second port number (Column 4, lines 38-48).

As to claim 24, Borella teaches the server apparatus according to claim 21, wherein the second port number is sent to the terminal device in a format of being sandwiched between predetermined words (Column 6, lines 53-65).

As to claim 25, Borella teaches the server apparatus according to claim 21, wherein the port number controller further acquires the wide area network address of the relay device and provides the terminal device with the wide area network address (Column 7, lines 58-Column 8, lines 10).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Borella and in view of Belknap et al. (U.S. Patent Number 6,763,377) hereinafter referred as Belknap.

Borella teaches the server of claim 21.

Borella does not explicitly teach the claim limitation of a camera, an image data generator, which processes a picture signal of a picture shot with the camera to encode the signal, and a web server section, which transmits the image data to a wide area network, wherein the server transmits a photographed image as an image server.

However, Belknap teaches the claim limitation of a camera, an image data generator, which processes a picture signal of a picture shot with the camera to encode the signal, and a web server section, which transmits the image data to a wide area network, wherein the server transmits a photographed image as an image server (Column 10, lines 1-15).

It would have been obvious to the ordinary skill in the art at the time of the invention to modify the system of Borella by incorporating Belknap's teaching of managing media assets in a network through graphical user interface, which would facilitate to manage media assets remotely. One would be motivated to do such to enhance system's usability.

5. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borella and in view of Kadota (U.S. Patent Number 6,697,073) hereinafter referred as Kadota.

As to claim 8, Kadota teaches the server according to any one of claims 21, 2, 3, 6 and 7, further comprising: a web page generating section and generating a web page where address information on other servers is attached in a linkable fashion (fig. 2, Column 10, lines 36-52).

As to claim 9, Kadota teaches the server according claim 8, wherein the port management means adds host names for identification to other servers and posts the host names in the address information (fig. 2, Column 10, lines 36-52).

**Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context.

### ***Response to Arguments***

6. Applicant's arguments have been fully considered but they are not persuasive.

The applicant argues in substance that; A) Borella does not teach claim limitation of the port management controller acquires the second port number assigned to the other server, and, in response to an access from the terminal device in the wide area network, provides the terminal device with the second port number.

In response to A) The examiner respectfully disagree with the applicant. The applicant asserts that Borella does not teach the argued limitation. However, no evidence is provided to support such conclusional assertion. Moreover, the claim language failed to provide or establish relationship in between first port number and second port number. The claim language merely recites “a first port number” and “a second port number”. Borella teaches allocating port number to network device and using the assigned port number to communicate to other network devices (see column 6, lines 4-column 7, lines 24). Therefore, Borella’s teaching of allocating port number in response to a request and using the allocated port number to communicate to other network devices meet the claim limitation.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached at 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll –free).

Faruk Hamza

Primary Examiner

Group Art Unit 2442

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Primary Examiner, Art Unit 2442